App. F. IX-4

1925.6.

File No. G.F/180 -15

Previous References (G.F.)

Serial Nos. - 2.

Later References

P-17/B

General and Revenue Secretariat.

Serial One

Part B for Jan 2 1927.

SUBJECT

Loan Account of Late Mr Dalvoy Dwaraj Mrs

AP 8/2.

G.R.S. 11] 1915?

GENERAL AND REVENUE SECRETARIAT.

(G-F)

NOTES.

180-15

File No. 4397

FILE HEADING.

Loan Account granted to Mr D. Devaraj Urs

From

The Dy Comm^r, Mysore & Chf Dt.

No. 343 Dated 17-11-15 Received 22.11.15 7.12

Diary No. 1373	Enclos.	Spare Copies.	Serial No. 15-2

BRIEF ABSTRACT OF LETTER.

With reference to G.O. dated 22.3rd March 15 passing orders in the matter of the disposal of the immovable properties of the late Mr D Devaraj Urs, Submits for approval a draft of a notification (in English & Kannada) proposed to be published to advertise the sale of the properties etc.

NOTES AND ORDERS.

~~He~~ also The Dy Comm^r also requests in para 2 of his letter whether certain Inam lands ~~noted~~ in Agrahara and Balagola Villages in the Srirangapatna Tq which are not enfranchised and which are not mortgaged

(illegible)

Vide note

NOTES—First Sheet.

GPB—35,000—15 6-12

Serial No.

to Govt on a/c of the loan, may also be included in the schedule of the properties to be sold. On this point also, the Solicitor's views.

2) Vide heralded file also where the Hon'ble member has raised the question whether the mortgage deed confers on Govt the power of sale of the said properties.

Rs
7/12/15

1. The opinion of Hon'ble may be got on the proposal in para 2 of the Dy Com's letter

Rs
8/12/15

Hon'ble)

1. The file called for is put-up herein another file which is now pending in Council Secn.

Rs

From what the Dy Commr has stated in par. 2 of his letter it looks that the encumbrances have also been mortgaged to Govt. Whether this itself is right is not in questi

Remark: 2026-15

LR
7.12.15

NOTE—Contn. sheet.

General and Revenue Secretariat.

File No. 80 of 1915.

Serial No.

5. The question is whether the unenfranchised Inams belonging to the late Mr. Devanj Ras can be sold

6) Submitted for orders with reference to para 3 of the notes. The 5/1/16 reference file G.D. 38-12 has not been put up by Br II

5-1-16

7) Complete references have not been put up. It is therefor difficult to give an opinion

8) It may however be remarked that it is doubtful whether the inam lands in question have been mortgaged to Govt: (Vide para 2 of the notes) (states they are not) In para 3 it is stated that the Ist Member has raised the question whether the Mortgage deed confers on Govt: the powers of Sale. The Case with regard to the mortgaged properties themselves being doubtful, it is scarcely necessary to add, the Case is still more so in the Case of properties not so mortgaged.

Vide next page on this point.

Br II)

Mon 5/1/16

P.T.O

NOTE—Contn. sheet.

GPB—20,000—30-6-15

1373

J. R. S. 12]

General and Revenue Secretariat. | File No. 80 of 191 5

Serial No.

Flag Y (dist)
in Gf-139 of 12
SE 13
putup

A

9. Re verification with the original lists of properties mortgaged to Govt as security for the loan granted to the late Mr Devaraj Urs, it is found that the Inam properties mentioned in the Dy Comm's para 6 of his under disposal have been mortgaged to Govt. and hence the question of the point on which the Dy Comm seeks orders of Govt is whether the above Inam lands may be sold along with other properties, even though they are not encumbered. It is only on this point the opinion of Br I is sought. The file may be sent again to Br I for favor of opinion on this point in the light of the above fact

Sd MRL
6/1/16 Br I

10. For favour of opinion on portion marked A above & very early return.

Sd.
6.1.16

Br I
Subject

6.1.16 11 What sort of inams are these? Personal or Service inams?

Sd
6.1.16

NOTE—Contn. sheet.

II

GPB—20,000—30-6-15

General and Revenue Secretariat. | G.T. File No. 180 1373 459 of 1915.

Flags J & K

Serial No.

12. These are Personal Inams vide Quit Rent Reg^r put up

7/11/16

Sealed 7.1.16

13. From the draft notification proposed (Vide para 6) it is seen that the necessary Conveyance deed to the purchaser has got to be executed by the Loan-holder. Thus although the Sale is held by Govt, it is on behalf of the Loan-holder, and the position of the Govt, is no better than that of an agent of the Loan-holder.

14. In this view the question whether the Inam lands in question can be sold or not, and in the former case on what terms it should be sold; depends on the powers of alienation possessed by the Inamdar.

15. From the quit-rent register put up for reference, it is seen that in the case of the Belagola lands, the Inamdar did not agree to their Enfranchisement, and in the case of the Agrahar lands they were not Enfranchised. Prima facie therefore

NOTE—Contn. sheet.

GPB—70,000—17-12-15

General and Revenue Secretariat. | G.7 File No. 180 of 1915-17

Serial No.

the Inamdar is not entitled to alienate these lands. But Govt may under Certain Conditions allow him to acquire such a power (Vide Chief Comm's order No 2284-70 dated 1st August 1873. Pp 606, & 607 of the Revenue Manual).

16. These Conditions are that (1) the Inamdar should agree to a de-novo Settlement of Inam according to the rules in force for the time being & (2) that he should pay up the quit-rent in arrears from the date of the Original Settlement with Compound interest @ 4%, till date of re-Settlement.

17. Doubtless the Inamdar in this Case will agree to or Can be made to agree to these Conditions, But the Inam lands in the hands of the purchaser will not be free from quit rent as it has hither-to been in the hands of the Inamdar, but the he will have to pay such quit-rent as may now be imposed.

18. Subject to this understanding, the inam lands

NOTE—Contn. sheet.

GPB—20,000—30-6-15

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in question may also be sold along with the other mortgaged unalienated lands mortgaged to Govt:

1 Rev: Secy) Asst Ramachendra Rao 9-1-16.

I do not think the Inam can be now enfranchised under the C.C's order of 1/8/73.

That order clearly says that the "application will ordinarily be liable to be rejected except where special grounds exist for its admission"

If the Sale, conducted by the Rev Officers, take place under Sec 193 L.R. Code, then under Rule 36 (2nd part) of the L.R. Rules, the Inam can be declared forfeited & resumed.

NOTE—Contn. sheet.

GPB—20,000—30-6-15

G. R. S. 12]

General and Revenue Secretariat. | G7. File No. 180/89 of 1913/15.

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If necessary the Govt Advocate may also be Consulted especially as to the provisions of law under which the sale took place

10/1/16

BVH

Ltr 10/1/16

Ltr. U.O. 1237 of 15.

Subd 11/1 Forwarded to the Govt Advocate for favour of opinion.

B.O. S. Shanmugam 11.1.16

Please send the file containing the G.O. sanctioning the loan & the deed executed by the late M. D. Mrs in accordance therewith

Advocate General 13.1.16

G755/03 on the subject is returned herewith. P.K.R. 31/1/16

Accompanied documents received herewith &c

G7/180-15-10 (Revised File)

NOTE—Contn. sheet.

GPB—70,000—17-12-15

No 343
C.2.

Office of the Deputy Commissioner, Mysore District.

Dated, Mysore, 17th November 1915

1373

From

A.Subramanya Iyer, Esquire., B.A.,

Deputy Commissioner, Mysore District.

To

Dewan Bahadur Rajamantra Pravina J.S.Chakravarti, Esq: M.A.F.R.A.S.,
Secretary to the Government of His Highness the
Maharaja of Mysore, Bangalore.

FINANCIAL DEPARTMENT

Sir,

With reference to Government Proceedings No Fl. 1929-33/G.F.38-12-13 dated the 3rd November 1915 passing orders in the matter of the disposal of the immovalble properties of the late Mr.D.Devaraja Urs mortgaged to Government on account of a loan sanctioned in his favor, I have the honor to submit herewith for favour of approval a draft of a Notification (both in English and Kanada) proposed to be published in the Mysore Gazette in view to advertise the sale as widely as possible. The sale of the properties will also be arranged to be published in some Local News Papers, the cost thereof being met from the income of ~~the income of~~ the Estate. A bill of cost will in due course be submitted to Government for sanction.

It is seen from the Quit Rent Register that the Inam lands of Agrahar and Balagola villages in the Seringapatam Taluk noted in the margin are not enfranchised. As under the orders of Government the the lands which have been only mortgaged to Government as security for the loan have to be sold on behalf of the Inamdar, I request that instructions may be kindly ~~be~~ issued as to whether the said lands may be included in the schedule of properties

S.No.	Nature.	Area.	Assessment.
AGRAHAR VILLAGE			
40	Wet	1 - 1	8 0 0
214	Do	3 -35	34 0 0
Part of 215	Do	2-18	20 4 0
		7-14	62 4 0
BALAGOLA			
158	Garden	3 27	29 0 0
194	Do	2 20	20 0 0
193	Do	2 38	24 0 0
Do	Wet	1 0	8 0 0
		10-5	81 0 0

properties and sold along with other lands though they are not enfranchised as yet.

I have the honor to be,

Sir,

Your most obedient Servant,

Deputy Commissioner,

Mysore District.

Office of the Deputy Commissioner,

Mysore District.

Dated, the 17th November 1915

NOTIFICATION OF SALE OF IMMOVABLE PROPERTY.

It is hereby notified that in satisfaction of a loan of Rs 2,80,000 due to Government by the late Mr.Dalavoy Devaraj Urs, the right, title and interest of the loan holder in the under-mentioned immovable property will be sold by public auction under the orders of Government conveyed in Proceedings No.Fl.1929-33/G.F.38-12-13 dated the 3rd November 1915 at the places and dates noted against the several properties.

2. The property will be knocked down to the highest bidder.

3. Purchasers will be required to deposit 25 per cent of the purchase money at the time of sale, and where the reminder of the purchase money may not be paid within 15 days from the date of the sale, the money so deposited shall be liable for forfeiture.

3. When such deposit shall not be made, nor the remaining purchase money paid up, the property shall be re-sold at the expense and risk of the first purchaser.

4. Persons bidding at the sale may be required to state whether they bid on their own account or as agents, and in the latter case to deposit a written authority signed by their principals, otherwise their bids may be rejected.

5. The sale of the property will not become absolute until the sale has been confirmed by Government.

6. On the purchasers making full payment of the purchase money and on the confirmation of the sale by Government, the necessary conveyance deed will be got executed by the Loan Holder at the cost of the purchaser in the matter of the value of stamps and Registration fees, and

the

ಪ್ರಥಮ ಶ್ರೇಣಿ ಸಹಾಯಕ ಸ್ಥಪತಿ
ಹುದ್ದೆಯಲ್ಲಿ ಪದೋನ್ನತಿ
ಕುರಿತು.

ಮೇಲ್ಕಂಡ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ ಅರ್ಜಿದಾರರಿಗೆ ಪ್ರತಿಷ್ಠಾನದಿಂದ ಪೂರ್ಣ ಪ್ರಮಾಣದ ಪಿಂಚಣಿ ರೂ. 280,000 ರೂಪಾಯಿಗಳನ್ನು ಸಲ್ಲಿಸಲಾಗಿದೆ ಮತ್ತು ಈ ಪ್ರಕರಣವನ್ನು ಮುಚ್ಚಿ ಹಾಕಲಾಗಿದೆ ಎಂಬ ಅಂಶವನ್ನು ಪರಿಶೀಲಿಸಿ ಕೂಡಲೇ ಸರ್ಕಾರಕ್ಕೆ ವರದಿ ಸಲ್ಲಿಸಲು ಹಾಗೂ ಪತ್ರದಲ್ಲಿ ಉಲ್ಲೇಖಿಸಿರುವ ಸರ್ಕಾರದ ಆದೇಶ ದಿನಾಂಕ 3.11.1915 ಕ್ಕೆ ಬದಲಾಗಿ ಸರ್ಕಾರದ ಆದೇಶ ಸಂಖ್ಯೆ ಕ್ಷ 1929-33 ದಿನಾಂಕ 9.7.38-12-13 ಎಂದು ತಿದ್ದುಪಡಿ ಮಾಡಿಕೊಳ್ಳಲು ಕೋರಿರುವ ಅರ್ಜಿದಾರರ ಮನವಿಯನ್ನು ಪರಿಶೀಲಿಸಿ ಸೂಕ್ತ ಕ್ರಮಕ್ಕಾಗಿ ಸಲ್ಲಿಸಲು ಸೂಚಿಸಿದೆ. ಅದರಂತೆ ಈ ಕೆಳಕಂಡ ಅಂಶಗಳನ್ನು ಪರಿಶೀಲಿಸಿ ಸೂಕ್ತ ಕ್ರಮಕ್ಕಾಗಿ ಸಲ್ಲಿಸಲಾಗಿದೆ.

1. ಅರ್ಜಿದಾರರ ವಿರುದ್ಧ ಯಾವುದೇ ಶಿಸ್ತು ಕ್ರಮ ಜರುಗಿಸಿರುವುದಿಲ್ಲವೆಂದು ಪ್ರಮಾಣೀಕರಿಸಿ ಸಲ್ಲಿಸಲಾಗಿದೆ.

2. ಈ ಕಛೇರಿಯಲ್ಲಿ ಕಂಪ್ಯೂಟರ್ ಅಳವಡಿಸಿರುವುದರಿಂದ ಸಂಬಳ ಮತ್ತು ಇತರೆ ಭತ್ಯೆಗಳಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಪ್ರತಿ ತಿಂಗಳು 25ನೇ ತಾರೀಖಿನಂದು ಮುಂಚಿತವಾಗಿ ಪಟ್ಟಿ ಸಲ್ಲಿಸಲಾಗುತ್ತಿದೆ. ಆದರೆ ಈ ತಿಂಗಳಿನಲ್ಲಿ ಈ ಸಂಬಂಧ ಪಟ್ಟಿಯನ್ನು ಮುಂಚಿತವಾಗಿ ಸಲ್ಲಿಸಲು ಆಗಿರುವುದಿಲ್ಲ. 15ನೇ ತಾರೀಖಿನ ನಂತರ ಸಂಬಳ ಪಟ್ಟಿಯನ್ನು ಸಲ್ಲಿಸಲಾಗುವುದು ಎಂದು ತಿಳಿಸಿದೆ. ಆದ್ದರಿಂದ ಸಂಬಳ ಪಟ್ಟಿಯನ್ನು ಮುಂಚಿತವಾಗಿ ಸಲ್ಲಿಸಲು ಕ್ರಮ ಕೈಗೊಳ್ಳಲಾಗಿದೆ.

3. ಅಂಥಾ ಪಿತೃಗಳಿಗೆ ಮಕ್ಕಳು ಹುಟ್ಟಲಿಲ್ಲ ಹುಟ್ಟಿ ಸತ್ತ ಮಕ್ಕಳು ಹುಟ್ಟಿದರೆ ಅಂಥ ಮಕ್ಕಳು ಪಿತೃಗಳಿಗೆ ಮುಂದೆ ಹೋಗಿ ಸ್ವರ್ಗದಲ್ಲಿ ಸುಖದಲ್ಲಿ ಇರುವುದಿಲ್ಲ ಅಥವಾ ಅವರಿಗೆ ಅದರಿಂದ ಲಾಭವಾಗುವುದಿಲ್ಲ ಅಥವಾ ಅವರಿಗೆ ಪುನರ್ಜನ್ಮ ಬರುತ್ತದೆ.

4. ಹುಟ್ಟಿದ ಮಕ್ಕಳು ಸತ್ತರೆ ಅವರಿಗೆ ಸಂತಾನವಿಲ್ಲದಂತಾಗಿ ಅವರಿಗೆ ಪುನರ್ಜನ್ಮ ಬರುತ್ತದೆ ಅಥವಾ ಅವರಿಗೆ ಸ್ವರ್ಗ ಪ್ರಾಪ್ತಿಯಾಗುವುದಿಲ್ಲ ಅಥವಾ ಅವರಿಗೆ ಮುಂದೆ ಹೋಗಿ ಸ್ವರ್ಗದಲ್ಲಿ ಸುಖವಾಗಿರುವುದಿಲ್ಲ. ಇಂಥಾ ಪಿತೃಗಳಿಗೆ ಮಕ್ಕಳು ಹುಟ್ಟಲಿಲ್ಲ ಹುಟ್ಟಿ ಸತ್ತ ಮಕ್ಕಳು ಹುಟ್ಟಿದರೆ ಅಂಥ ಮಕ್ಕಳು ಪಿತೃಗಳಿಗೆ ಮುಂದೆ ಹೋಗಿ ಸ್ವರ್ಗದಲ್ಲಿ ಸುಖದಲ್ಲಿ ಇರುವುದಿಲ್ಲ ಅಥವಾ ಅವರಿಗೆ ಅದರಿಂದ ಲಾಭವಾಗುವುದಿಲ್ಲ ಅಥವಾ ಅವರಿಗೆ ಪುನರ್ಜನ್ಮ ಬರುತ್ತದೆ.

5. ಹುಟ್ಟಿದ ಮಕ್ಕಳು ಸತ್ತರೆ ಅಂಥ ಮಕ್ಕಳಿಂದ ಪಿತೃಗಳಿಗೆ ಸ್ವರ್ಗ ಪ್ರಾಪ್ತಿಯಾಗುವುದಿಲ್ಲ.

6. ಹುಟ್ಟಿದ ಕೆಲವು ಮಕ್ಕಳಲ್ಲಿ ಅಂಥ ಮಕ್ಕಳು ಹುಟ್ಟಿ ಸತ್ತ ಮಕ್ಕಳು ಹುಟ್ಟಿದರೆ ಅಂಥ ಮಕ್ಕಳಿಂದ ಪಿತೃಗಳಿಗೆ ಸ್ವರ್ಗ ಪ್ರಾಪ್ತಿಯಾಗುವುದಿಲ್ಲ ಅಥವಾ

ಅವರಿಗೆ ಇಂದಿನಿಂದಲೇ ಅಧಿಕಾರವನ್ನು ನೀಡಿ ಆದೇಶಿಸಿದೆ.

Deputy Commissioner
Goa District

19.11.1915

Comptr.

First Member's Note dated 19th January 1916.

The note of the Financial Assistant Secretary concurred in by the Financial Secretary, has dealt with the subject in a thorough manner and leaves little for me to add.

How far we shall be able to realise Rs.20,250 per annum from the total income of the whole property including the Palace stipends is a problem. During no year, ever since the mortgage of the properties to Government, has this been realised. The income from lands cannot always be relied upon as a constant factor. A good deal depends upon the management and attention that may be bestowed upon them. I believe at the request of the late Mr. Devaraj Urs, the management of the minor properties, income from which was much more than the whole inam village, was allowed to be in his hands. I think that we should now insist upon taking over the management of the whole estate excepting the house in the fort in which the family resided. It may be possible to get a little more from these minor inams, if the lessees who have been long in the enjoyment of these can be changed. The Dy. Commissioners may be addressed in this matter. When things are all put right, the whole property managed by Govt., say for the next 3 years, we will be in a better position to understand how far the expectations of Mr. D. Manjaraj Urs can be realised. His request to sell the Bangalore bungalow and to hand over the proceeds to him to enable him to purchase wet lands may be complied with. If we are guarenteed the payment of the whole of the Palace stipends releasing this property from the mortgage will not affect its value much.

I am not sure if Mr. Manjaraj Urs will ever be able to make good the deficit between Rs 20,250 which he hopes to realise from the properties and the actual realisations. Knowing as we do that he has placed all his resources at our disposal, it may not be fair to insist on this either.

On hearing from the palace authorities if they will have no objection to the full stipends being credited towards the Government loan until it is fully discharged, the Financial branch will work up and be able to tell us within how many years approximately the Govt loan

loan may be discharged.In the meanwhile,orders may issue at once,to the Deputy Commissionerw to take no further action upon the recent G.O. directing the sale of properties.

The Dy.Commissioner Bangalore Distt, who has notified the sale of these properties lying within his Distt.may perhaps be asked to notified at once that the sale authorised has been postponed sine die. When all is said and done,it strikes me that we are only putting off the evil day.But it must be said at the same time that all reasonable indulgence should be shown to the family which by the sudden and lamentable death of its head has been placed in dire straits.

(Initialled) M.K.